

**RECORD WITHOUT FEE PURSUANT
TO GOV'T CODE SECTION 6103**

Recording Requested by:
Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:
Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

25700469

Regina Alcomendras
Santa Clara County - Clerk-Recorder

09/18/2024 04:11 PM

Titles: 1 Pages: 4

Fees: \$0.00
Taxes: \$0
Total: \$0.00



Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

RESOLUTION NO. 24-9361

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF A
SANITARY SEWER AND STORM DRAIN EASEMENT, AND
ELECTRICAL EASEMENT AT 3077-3157 EL CAMINO REAL
[APN 220-32-057 (2024-25)]**

WHEREAS, the City of Santa Clara currently possesses a Sanitary Sewer and Storm Drain Easement, and Electrical Easement described in Exhibit A, and shown on Exhibit B, which Exhibits are incorporated herein by reference. Said Easements were dedicated by that certain document as mentioned in said Exhibits; and

WHEREAS, pursuant to Section 8333 of the California Streets and Highways Code, the City Council "may summarily vacate a public service easement" in any of the following cases:

(a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

(b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.

(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

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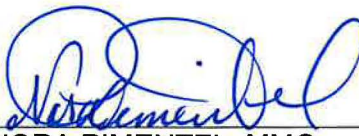
NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Sanitary Sewer and Storm Drain Easement described in Exhibit A and shown on Exhibit B have been determined to be in excess and there are no other public facilities located within the easements.
2. That the Electrical Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation and there are no other public facilities located within the easements.
3. That the Sanitary Sewer and Storm Drain Easement, and Electrical Easement described and shown in said Exhibits in the City are hereby vacated pursuant to California Streets and Highways Code Section 8333.
4. That the vacation hereby releases all easement rights and interest of the City referred in said Exhibits to the current property owner(s).
5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 10TH DAY OF SEPTEMBER, 2024, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Jain, Park, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	Hardy

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Exhibits A, and B

EXHIBIT A
LEGAL DESCRIPTION
EASEMENT VACATIONS FOR PARCEL 1 (D.N. 25436710)

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THE SANITARY SEWER AND STORM DRAIN EASEMENT GRANTED TO THE CITY OF SANTA CLARA IN THAT GRANT OF EASEMENT RECORDED APRIL 5, 1968, FILED IN BOOK 8080, AT PAGE 593, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

AND:

BEING ALL OF THE ELECTRIC EASEMENT GRANTED TO THE CITY OF SANTA CLARA IN THAT GRANT OF EASEMENT RECORDED JULY 24, 1969, FILED IN BOOK 8615, AT PAGE 511, OFFICIAL RECORDS OF SANTA CLARA COUNTY.

END OF DESCRIPTION



[Handwritten signature in blue ink] 7/18/2024

MARK WEHBER, P.L.S.
L.S. NO. 7960

CALABAZAS BOULEVARD

KREITEM
449
APN 220-32-005
(2024-25)

CHENG
448
APN 220-32-014
(2024-25)

TRACT NO. 1677
(84 M 52)

KUFIS
447
APN 220-32-015
(2024-25)

SHAH
435
APN 220-32-027
(2024-25)

PARCEL ONE
D.N. 25436710

APN 220-32-057
(2024-25)

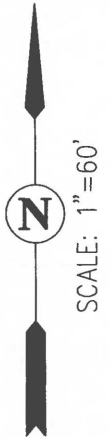
VACATION AREA
SANITARY SEWER AND
STORM DRAIN EASEMENT
PER BOOK 8080, PAGE 593

171.00'

15'

CAOILI
436
APN 220-32-026
(2024-25)

TAYLOR
MORRISON
(948 M 40)
APN 220-32-059
(2024-25)



VACATION AREA
ELECTRIC EASEMENT
BOOK 8615, PAGE 511

PARCEL TWO
D.N. 25436710
APN 220-32-058
(2024-25)

10'

10'

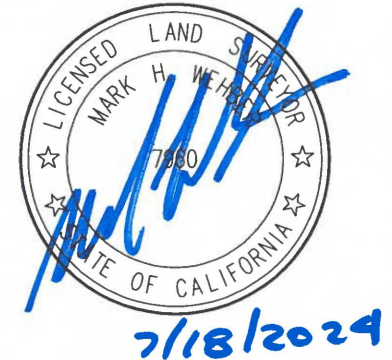


EXHIBIT B

EL CAMINO REAL

SHEET 1 OF 1

PLAT TO ACCOMPANY LEGAL DESCRIPTION

VACATION OF SANITARY SEWER & STORM DRAIN EASEMENT PER GRANT OF
EASEMENT BOOK 8080, PAGE 593 (D.N. 3395479) AND VACATION OF ELECTRIC
EASEMENT PER GRANT OF EASEMENT BOOK 8615, PAGE 511 (D.N. 365750)

CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, CALIFORNIA

JULY 18, 2024

SC24-0023



CIVIL ENGINEERS • SURVEYORS • PLANNERS

SAN RAMON (925) 866-0322

ROSEVILLE (916) 788-4456

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